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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/785,636 | 02/24/2004 | Roger Draft | DRA01 P-303A | 2405 |

277 7590 08/18/2006

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| EXAMINER |
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SMITH, KIMBERLY S

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| ART UNIT | PAPER NUMBER |
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3644

DATE MAILED: 08/18/2006

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10/785,636

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| EXAMINER |
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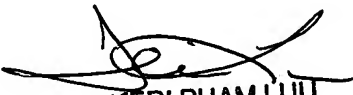
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Commissioner for Patents

The Reply Brief filed 07/27/06 has been noted. The Application has been forwarded to the Board of Patent Appeals and Interferences.


TERI PHAM LUU
SUPERVISORY
PRIMARY EXAMINER



AF/IFW

Atty Dkt DRA01 P303A

| CERTIFICATE OF MAILING | |
|---|--------------------|
| I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below. | |
| <u>July 24, 2006</u> Dated | Tania P. Rentz |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3644
Examiner : Kimberly S. Smith
Applicant : Roger Draft
Appln. No. : 10/785,636
Filing Date : February 24, 2004
Conf. No. : 2405
For : CAGE FOR TRANSPORTING AND STUNNING LIVESTOCK

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

REPLY BRIEF

In this appeal, claims 1, 2, 6, and 8-13 are at issue substantively. Claims 3-5 and 7 have been objected to, and claim 18 has now been allowed. The Examiner has rejected claims 1, 6, and 8-13 under § 102(b) as being anticipated by Ruggieri et al. U.S. Patent No. 4,365, 590; and has rejected claims 1, 2, 6, and 8-13 under § 102(b) as being anticipated by Ziegler U.S. Patent No. 2, 220,436. Each of these references and the arguments made with respect to them by the Examiner in her brief are addressed separately below.

THE RUGGIERI ET AL. REJECTION

While the Applicant agrees with the Examiner that the door 26 of Ruggieri et al. has a defined width, the Applicant does not agree that Fig. 3 of that reference illustrates that the door is completely located within the perimeter of the frame and therefore must inherently include a cavity. Instead, as the Examiner has indicated, the door is flush with the perimeter of the frame—there is no cavity in the frame of the Ruggieri et al. structure to receive the bottom portion of the door 26. Instead, the door abuts partition wall 34. In fact, the Ruggieri et al. specification says

8/9/06 KG
REPLY BRIEF NOTED